

voting feature. The Attorney General issued an opinion with no cases cited saying that that part of the language which dealt with the voting rights of folk who lived in a Class I district that was split into more than one part was constitutionally suspect. I, personally, disagree with the Attorney General's opinion but I don't have the last word on the subject nor does the Attorney General. The courts do. This little amendment says that in the event that provision is found to be unconstitutional, the bill is saved. It is separate from the bill. Now Senator Lamb, himself, has put the Lamb affiliation language in here which some folk think is of constitutional question. We have chosen not to make that issue severable from the rest of the bill. So if, in fact the affiliation language is somehow found to be unconstitutional, we have not at least provided automatically that that language is to be severed from the constitutionality of the rest of the bill. The next item, again it deals with the affiliated school districts. All bond issues need to be approved by the voters of both districts. I mean that is only fair because the voters of the Class I district is going to pay the mill levy so the bond issues ought to be approved by the voters of both districts. I do not regard it as a substantive change. I regard that mostly as a clean-up technical change. Item five, effective date, we rolled the effective date back for everything but the study and the declaratory judgment action from May, 1986 until July 31st, 1986 for a real simple straightforward, honest, sincere reason. If the study itself generates some changes that ought to occur in 662, then the Legislature next year ought to be able to adopt those changes and one ought not need the emergency clause, ought not need the emergency clause for the changes. They shouldn't need the 33 votes. Ought to be able to do it on 25 votes. A July 31st, '86 implementation date frankly permits those changes to be adopted before the bill becomes effective on only 25 votes. Again, it is one of those sincere efforts to make certain that everybody in this body feels like we are doing the responsible thing on this legislation. Finally in this amendment, this I think is a substantive change, we are providing on the affiliated districts that in terms of the way the budget is calculated for the mill levy purposes that the receiving district, the Class II or the Class III district segregate out its high school budget from its nonhigh school budget and when it segregate that out include, it include in its high school budget its cost of transportation, it include that. Senator